

United States District Court  
for  
Eastern District of New York  
Report on Offender Under Supervision

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
SEP 07 2005  
★ BROOKLYN OFFICE ★

Name of Offender: Leslie Bautista

Case Number: 00-CR-1330

Name of Sentencing Judicial Officer:

The Honorable Allyne Ross, United States District Judge

Date of Original Sentence: April 6, 2001

Original Offense: 21 U.S.C. 952(a) and 960(b)(3), Importation of Heroin, a Class C Felony

Original Sentence: Five years probation and \$100 special assessment fee. On November 8, 2001, Your Honor ordered the special condition of substance abuse treatment.

Type of Supervision: Probation      Date Supervision Commenced: April 6, 2001

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NON-COMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	"The defendant shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician."

U.S. Probation Officer Action:

On May 3, 2005, June 15, 2005, July 15, 2005, July 19, 2005, and August 1, 2005, the offender submitted urine specimens to our department which tested and confirmed positive for marijuana. She was placed on random urine testing and instructed to meet with Sr. USPO Kelly O'Keefe, drug treatment specialist. She, however, did not meet with Officer O'Keefe as instructed and was referred to other treatment. Her treatment begins on August 16, 2005, within the department's in-house substance abuse program. In accordance with U.S.C. 18 § 3565 (b)(1), 3563(e), upon a finding that the offender tested positive for illicit substances more than three times over the course of one year, the Court is required to revoke supervised release and impose a term of imprisonment. The Court may consider whether the availability of appropriate substance abuse treatment programs, or an individual's current or past participation in such programs, warrants reprieve from mandatory revocation. In this case, the offender does seem amenable to an available substance abuse treatment program. As such, the Probation Department recommends no Court action at this time.

Respectfully submitted by,

Joshua Luria  
Joshua Luria  
U.S. Probation Officer

Approved by,

Arthur Swasey  
Arthur Swasey  
Supervising U.S. Probation Officer  
Date: 8/12/05

THE COURT ORDERS:

- ☒ No Action  
☐ The Following Action Be Taken: \_\_\_\_\_

\_\_\_\_\_  
Signature of Judicial Officer  
8/18/05  
Date